

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 10, 2008

DIVISION TWO

B201231 Trancas-PCH, LLC (Not for Publication)
 v.
 City of Malibu et al.

The dismissal is reversed. Trancas-PCH shall recover its costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B199197 People (Not for Publication)
 v.
 Escobedo

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B198107 People (Not for Publication)
v.
Derek Johnson

The judgment is modified in that the sentence imposed under count 2 is hereby stayed under section 654. As modified, the judgment is affirmed. The clerk of the superior court shall prepare an amended abstract of judgment to reflect this modification and forward a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B199064 People (Not for Publication)
v.
Pilar Mendoza Armenta et al.

The judgment is affirmed in part and reversed in part. The judgment as to defendant Armenta is affirmed. The judgment as to defendant Fuqua is reversed and her case is remanded with directions. On remand, the trial court is to conduct an in camera review of the requested personnel records for relevance, consistent with this opinion. If that review reveals no relevant information, the trial court shall reinstate Fuqua's original judgment and sentence. If the review reveals relevant information, the trial court must order disclosure, allow Fuqua an opportunity to demonstrate prejudice, and order a anew trial if there is a reasonable probability the outcome would have been different had the information been disclosed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION EIGHT

10-10-08

1003434-08

The Honorable **NORA M. MANELLA**, Associate Justice of the Court of Appeal, Second Appellate District, Division Four, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Eight, as a justice thereof, on the following dates:

October 10, 2008

and until completion and disposition of all causes and matters pro tempore submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal Justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

October 9, 2008

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council